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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of
Amendment of the
Commission's Rules
Concerning Maritime
Communications

PR Docket No. 92-257.

TO: The Commission

**COMMENTS OF THE
UTILITIES TELECOMMUNICATIONS COUNCIL**

The Utilities Telecommunications Council (UTC) hereby
submits its comments in response to the Notice of Proposed

UTC, ranging in size from large combination electric-gas-water utilities which serve millions of customers, to small, rural electric cooperatives and water districts serving only a few thousand customers each. All utilities depend on reliable and secure communications to assist them in carrying out their obligations to provide service to the public. Utilities operate Private Land Mobile Radio facilities in the Power Radio Service, and the proposals in the NPRM/NOI, if adopted, would afford utilities with additional frequencies in the VHF band. UTC is therefore pleased to have the opportunity to comment in this proceeding.

In response to a Petition for Rulemaking filed by the Council of Independent Communications Suppliers (CICS), the FCC proposes to allow interservice sharing of marine VHF public correspondence channels 24-28 and 84-87 by certain PLMR services on a co-primary basis. In particular, the FCC proposes to: (1) permit interservice sharing of these marine VHF channels by Industrial/Land Transportation eligibles; (2) establish geographic separation, and antenna power/height limitations; and (3) certify the Special Industrial Radio Service Association as the recognized coordinator.

UTC supports the FCC's proposal to allow interservice sharing of the VHF maritime frequencies as an exercise of efficient spectrum management. As the Commission notes, it has successfully allowed interservice sharing in the PLMR services for a number of years. Also, the Commission has permitted sharing between PLMR and maritime services on a case-by-case basis with no resulting interference complaints. The risk of interference due to the interservice sharing proposed in the NPRM/NOI is minimized because the use of the marine frequencies would be restricted in geographic areas which are within 55 miles of a navigable waterway or co-channel public coast stations. Because there is little maritime use of these frequencies at areas more than 55 miles from a waterway or coast

need to apply many of the proposals in the "Part 88" proceeding to these channels. UTC therefore urges the Commission to adopt rules for these essentially "new" Private Land Mobile Channels patterned after the rules in effect for the 470-512 MHz band. For example, the channels should be allocated for shared use by eligibles in the Industrial and Land Transportation Radio Services; an applicant should secure frequency coordination through any certified frequency coordinator in the Industrial and Land Transportation Radio services; and channel exclusivity should be available with requisite loading.^{2/}

UTC agrees with the Commission's proposal to limit interservice sharing of these channels to eligibles in the Industrial and Land Transportation Radio Services.^{3/} Users in these services are more likely to operate in areas where maritime channels are not in use. Also, by limiting (at least initially) the number of entities eligible for these frequencies the Commission will be better able to control the potential for interference to maritime users.

^{2/} See, e.g., 47 C.F.R. §90.313 (1992).

^{3/} UTC recognizes that the Commission has proposed a consolidation of radio services in PR Docket No. 92-235. However, and as noted above, there is no need to delay the present docket to take account of any regulatory changes that might be adopted in PR Docket No. 92-235.

As noted above, ITC does not believe it is necessary

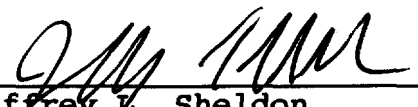
competition to the frequency coordination process. Designation of a single coordinator is also unnecessary where the Commission is proposing to standardize one of the more critical coordination requirements; i.e., geographic separation from coastlines and Public Coast stations. The NPRM/NOI offers no justification for this proposal. UTC therefore urges the Commission to allow applicants to use any certified coordinator from the Industrial and Land Transportation Radio Services.

WHEREFORE, THE PREMISES CONSIDERED, the Utilities Telecommunications Council respectfully requests the Commission to take action in this docket consistent with the views expressed herein.

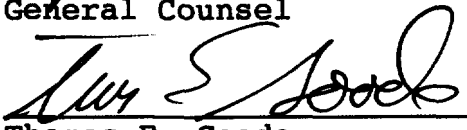
Respectfully submitted,

**UTILITIES TELECOMMUNICATIONS
COUNCIL**

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